

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HOOMAN PANAH, an individual,
Plaintiff,

v.

STATE OF CALIFORNIA DEPT. OF
CORRECTIONS AND
REHABILITATION, et al.,
Defendants.

Case No. 14-00166 BLF (PR)

**ORDER DENYING RENEWED
MOTION FOR APPOINTMENT OF
COUNSEL; DENYING MOTION
FOR PRODUCTION OF
DOCUMENTS AS MOOT;
GRANTING MOTION FOR
EXTENSION OF TIME TO FILE
REPLY**

(Docket Nos. 107, 111, 115, 117)

Plaintiff, an inmate on death row at San Quentin State Prison ("SQSP") proceeding *pro se*, filed a second amended complaint pursuant to 42 U.S.C. § 1983, alleging unconstitutional acts by SQSP correctional officers. The Court found several of Plaintiff's claims cognizable, and scheduled briefing on the matter. (Docket No. 69.) Plaintiff has filed a renewed motion for appointment of counsel. (Docket No. 97.) Plaintiff filed a motion for appointment of counsel earlier in this matter, which the Court denied for lack of exceptional circumstances. (Docket No. 46.) The Court later denied another such motion which was filed under deal. (Docket No. 97.)

Plaintiff has filed a renewed motion for appointment of counsel. (Docket No. 111.) Plaintiff has already been informed that appointment of counsel is granted only in exceptional circumstances. (*See* Docket Nos. 46, 97); *Franklin v. Murphy*, 745 F.2d 1221,

1 1236 (9th Cir. 1984). Plaintiff continues to demonstrate to his ability to proceed *pro se* in
2 this action by his numerous and extensive filings, including the instant lengthy motion,
3 despite the challenges he alleges therein. (*Id.*) Accordingly, for the same reasons the
4 previous motions were denied, (Docket Nos. 46, 97), this renewed motion is DENIED for
5 lack of exceptional circumstances. See *Agyeman v. Corrections Corp. of America*, 390
6 F.3d 1101, 1103 (9th Cir. 2004); *Rand*, 113 F.3d at 1525; *Terrell v. Brewer*, 935 F.2d 1015,
7 1017 (9th Cir. 1991); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir. 1986).

8 Plaintiff filed a motion for production of documents and “other information/things.”
9 (Docket No. 107.) The parties later filed a stipulation to extend the time for Defendants to
10 respond to Plaintiffs’ request for production of documents. (Docket No. 110.) Plaintiff
11 has filed no further requests for production of documents. Accordingly, as it appears that
12 Defendants responded to his request, Plaintiff’s motion is DENIED as moot.

13 Plaintiff filed a motion to amend, (Docket No. 112), and Defendants filed an
14 opposition, (Docket No. 113). Plaintiff seeks an extension of time to file a reply. (Docket
15 Nos. 115, 117.) In the interest of justice, his request is GRANTED. Plaintiff’s reply shall
16 be filed **no later than twenty-eight (28) days** from the date this order is filed.

17 This order terminates Docket Nos. 107, 111, 115, and 117.

18 **IT IS SO ORDERED.**

19 **Dated:** July 11, 2019



BETH LABSON FREEMAN
United States District Judge